

Notice of Public Hearing
LSA Document #08-756

Notice of Public Hearing

Under [IC 4-22-2-24](#), notice is hereby given that on March 5, 2009, at 11:00 a.m., at the Rochester Library, 320 West 7th Street, Rochester, Indiana, the Natural Resources Commission will hold a public hearing on proposed amendments to add [312 IAC 5-6-5.6](#) to establish a watercraft protected zone in an area known as the "prairie" in Lake Manitou, Fulton County and to repeal [312 IAC 5-6-5.5](#).

[IC 4-22-2-24\(d\)\(3\)](#) Justification Statement: The Lake Manitou special watercraft zone is locally known as the "prairie". The area is approximately 40 acres of shallow water that, historically, was covered with emergent vegetation dominated by rushes. Power boating through the area was a leading cause of the loss of emergent vegetation.

The rule is proposed under authority [IC 14-15-7-3\(a\)\(4\)](#) to establish zones where restrictions for public safety can be placed on watercraft operations, and [IC 14-15-7-3\(a\)\(6\)](#) where zones are authorized where the use of watercraft may be limited or prohibited for fish, wildlife, or botanical resource management. The rule prohibits motorized boating, but allows boats to drift or to be manually propelled through the zone.

A previous rule at [312 IAC 5-6-5.5](#) establishing an ecozone in the same subject area expired in 2008. The Department concludes the Lake Manitou ecozone to have been effective for the following reasons:

- (1) Boating safety issues have been addressed as no incidents due to motorboating within the shallow waters of the zone were reported to the Division of Law Enforcement.
- (2) The small stand of rush was preserved, and the opportunity was there for the bed to expand naturally or for restoration efforts to take place.
- (3) Prior to the treatment for hydrilla, nearly the entire 40 acres was covered with underwater aquatic vegetation that provided fish habitat, acted to reduce wave action and bank erosion, and tied up nutrients and sediments that helped to reduce water turbidity and the production of algae.
- (4) An area was provided to anglers where they would not be disturbed by motorboats, personal watercraft, and the waves generated by those craft.

The Department is pursuing a watercraft protection zone for Lake Manitou, because the above four reasons are likely to continue in perpetuity. Because the shallow nature of the area within the watercraft zone would normally preclude high speed boating, the proposed rule is not an additional restriction on recreational boating.

Asplund, Timothy R. 2000. *The Effects of Motorized Watercraft on Aquatic Ecosystems*. Wisconsin Department of Natural Resources, Bureau of Integrated Science Services and University of Wisconsin – Madison, Water Chemistry Program. Publication SS – 948 – 00.

DNR Staff Observations. Fisheries District-1; Robert Robertson and Jeremy Price; Kankakee Fish and Wildlife Area, Indiana.

Copies of these rules are now on file at the Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Bryan W. Poynter
Chairman
Natural Resources Commission

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